

U
N
AUG 06 2003

Michael N. Milby, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re ENRON CORPORATION SECURITIES
LITIGATION

§ Civil Action No. H-01-3624
§ (Consolidated)
§

This Document Relates To:

MARK NEWBY, et al., Individually and On
Behalf of All Others Similarly Situated,

Plaintiffs,

vs.

ENRON CORP., et al.,

Defendants.

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA, et al., Individually and On
Behalf of All Others Similarly Situated,

Plaintiffs,

vs.

KENNETH L. LAY, et al.,

Defendants.

CLASS ACTION

THIRD AMENDED CERTIFICATION OF AMALGAMATED BANK
PURSUANT TO FEDERAL SECURITIES LAWS

1607

**THIRD AMENDED CERTIFICATION OF NAMED PLAINTIFF
PURSUANT TO FEDERAL SECURITIES LAWS**

THE AMALGAMATED BANK ("Plaintiff") declares:

1. Plaintiff has reviewed the complaint and authorized its filing.
2. Plaintiff did not acquire the security that is the subject of this action at the direction of plaintiff's counsel or in order to participate in this private action or any other litigation under the federal securities laws.
3. Plaintiff is willing to serve as a representative party on behalf of the class, including providing testimony at deposition and trial, if necessary.
4. Plaintiff has made the following transaction(s) during the Class Period in the securities that are the subject of this action:

<u>Security</u>	<u>Transaction</u>	<u>Date</u>	<u>Price Per Share</u>
-----------------	--------------------	-------------	------------------------

See attached Schedule A.

5. During the three years prior to the date of this Certificate, Plaintiff has not sought to serve or served as a representative party for a class in an action filed under the federal securities laws except as detailed below:

Singer v. Bristol Meyers, Civil Action No. 00-1990(GEB) (D.N.J.)

In re Sprint Corp. Sec. Litig., No. 01-4080-DES (D. Kan.)

Deutsche v. Merck & Co., Inc., et al., No. 3:02cv3185(MLC) (D.N.J.) (filed 08/30/02)

Fadem v. AOL Time Warner, Inc., et al., No. 1:02-CV-5575 (S.D.N.Y.) (filed 09/16/02)

In re King Pharmaceuticals, Inc., No. 2:03-CV-0078 (E.D. Tenn.) (filed 05/12/03)

6. The Plaintiff will not accept any payment for serving as a representative party on behalf of the class beyond the Plaintiff's pro rata share of any recovery, except such reasonable costs and expenses (including lost

wages) directly relating to the representation of the class as ordered or approved by the court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of August, 2003.

THE AMALGAMATED BANK

By: Ronald E. Luraschi
Ronald E. Luraschi
Its: Senior Vice President

SCHEDULE A
SECURITIES TRANSACTIONS

**Debt
Purchases**

<u>Date Acquired</u>	<u>Type/Amount of Securities Acquired</u>	<u>Face Amount</u>	<u>Bond Price</u>
07/25/2000	6.75 % due 8/1/2009	722,000	Receipt In Kind
08/03/2000	7.625% due 9/10/2004	7,275,000	\$100.95
09/27/2000	7.625% due 9/10/2004	250,000	\$101.32
05/10/2001	7.625% due 9/10/2004	50,000	\$104.05
11/02/2000	7.375 % due 5/15/2019	6,180,000	\$97.22
03/19/2001	7.375 % due 5/15/2019	65,000	\$103.84
06/29/2001	7.375 % due 5/15/2019	20,000	\$103.10

Sales

<u>Date Sold</u>	<u>Type/Amount of Securities Acquired</u>	<u>Face Amount</u>	<u>Bond Price</u>
11/21/2001	6.75 % due 8/1/2009	500,000	\$60.00
09/27/2000	7.625% due 9/10/2004	250,000	\$101.27
05/10/2001	7.625% due 9/10/2004	50,000	\$103.99
02/13/2001	7.375 % due 5/15/2019	40,000	\$100.23
11/02/2001	7.375 % due 5/15/2019	2,000,000	\$67.50

SCHEDULE A
SECURITIES TRANSACTIONS

**Equity
Purchases**

<u>Date Acquired</u>	<u>Type/Amount of Securities Acquired</u>	<u>Acquisition Price Per Share</u>
Holding 199,400 shares as of 10/20/98		
10/20/1998	200	\$26.45
10/23/1998	200	\$26.26
10/30/1998	6,400	\$26.38
11/06/1998	600	\$27.85
11/20/1998	800	\$27.82
12/18/1998	400	\$28.07
02/05/1999	600	\$31.48
03/19/1999	1,800	\$34.63
03/31/1999	1,200	\$32.13
04/09/1999	400	\$32.04
04/16/1999	1,000	\$34.76
05/14/1999	12,600	\$36.07
06/18/1999	400	\$38.95
06/25/1999	1,200	\$38.51
06/30/1999	600	\$40.88
07/09/1999	200	\$43.26
07/09/1999	400	\$43.26
07/30/1999	1,000	\$37.63
08/31/1999	200	\$41.89
09/03/1999	1,800	\$41.52
09/15/1999	500	\$42.08
09/16/1999	100	\$41.28
09/17/1999	100	\$42.27
09/21/1999	600	\$39.61
09/22/1999	100	\$40.02
09/24/1999	100	\$39.83
09/27/1999	300	\$39.27
09/27/1999	100	\$39.28
09/28/1999	700	\$38.68

SCHEDULE A
SECURITIES TRANSACTIONS

**Equity
Purchases**

<u>Date Acquired</u>	<u>Type/Amount of Securities Acquired</u>	<u>Acquisition Price Per Share</u>
09/29/1999	100	\$39.78
09/30/1999	500	\$41.27
10/21/1999	100	\$38.52
10/29/1999	100	\$39.96
11/05/1999	3,600	\$37.89
12/17/1999	1,400	\$41.02
12/31/1999	2,200	\$44.40
01/11/2000	500	\$48.10
01/31/2000	500	\$67.46
02/09/2000	1,700	\$66.46
02/22/2000	300	\$66.08
02/23/2000	3,500	\$65.46
02/28/2000	200	\$64.83
02/29/2000	100	\$69.02
02/29/2000	300	\$69.02
04/03/2000	100	\$73.58
04/10/2000	500	\$70.27
04/11/2000	5,900	\$68.33
04/14/2000	2,400	\$69.27
04/19/2000	100	\$70.78
04/19/2000	4,300	\$70.85
04/20/2000	100	\$71.52
05/01/2000	200	\$72.33
05/15/2000	1,500	\$76.96
05/31/2000	4,100	\$72.89
05/31/2000	600	\$72.89
06/06/2000	100	\$70.65
06/20/2000	1,200	\$46.03
06/21/2000	100	\$73.96
06/22/2000	100	\$73.96
06/23/2000	100	\$73.08
06/23/2000	100	\$73.08

SCHEDULE A
SECURITIES TRANSACTIONS

**Equity
Purchases**

<u>Date Acquired</u>	<u>Type/Amount of Securities Acquired</u>	<u>Acquisition Price Per Share</u>
06/29/2000	1,800	\$68.52
07/21/2000	100	\$72.46
07/24/2000	100	\$73.84
07/24/2000	100	\$73.84
07/24/2000	100	\$73.84
08/01/2000	300	\$75.89
08/10/2000	100	\$80.09
09/01/2000	700	\$85.33
09/06/2000	800	\$84.39
09/12/2000	7,800	\$85.52
09/14/2000	200	\$86.71
09/14/2000	1,000	\$86.96
09/20/2000	1,500	\$82.21
09/22/2000	100	\$80.21
10/03/2000	400	\$85.52
10/03/2000	200	\$85.52
10/05/2000	100	\$83.02
10/06/2000	100	\$83.53
10/11/2000	5,900	\$82.83
11/01/2000	400	\$83.27
11/22/2000	1,300	\$75.58
12/01/2000	600	\$65.52
12/01/2000	1,800	\$65.44
12/20/2000	100	\$79.09
12/21/2000	100	\$79.27
12/22/2000	400	\$79.77
12/22/2000	100	\$80.90
02/02/2001	200	\$80.00
02/02/2001	200	\$80.00
03/06/2001	200	\$68.89
04/03/2001	500	\$54.08
05/18/2001	7,400	\$54.22

SCHEDULE A
SECURITIES TRANSACTIONS

**Equity
Purchases**

<u>Date Acquired</u>	<u>Type/Amount of Securities Acquired</u>	<u>Acquisition Price Per Share</u>
06/11/2001	200	\$51.29
06/12/2001	100	\$50.38
10/31/2001	1,200	\$13.91
11/06/2001	1,100	\$9.69
11/13/2001	600	\$10.01
11/15/2001	500	\$9.50

SCHEDULE A
SECURITIES TRANSACTIONS

Equity Sales		
<u>Date Sold</u>	<u>Type/Amount of Securities Sold</u>	<u>Sales Price Per Share</u>
11/17/1998	200	\$26.99
11/30/1998	400	\$26.27
11/30/1998	200	\$26.27
12/07/1998	200	\$27.02
12/31/1998	200	\$28.43
01/29/1999	600	\$32.99
03/26/1999	1,400	\$32.52
03/31/1999	200	\$32.11
05/21/1999	200	\$36.65
05/28/1999	5,200	\$35.65
06/11/1999	1,000	\$40.43
07/01/1999	200	\$40.24
07/23/1999	800	\$42.24
07/30/1999	800	\$38.83
07/30/1999	200	\$42.58
08/27/1999	900	\$42.36
09/30/1999	200	\$41.23
10/15/1999	700	\$38.23
10/19/1999	100	\$39.72
10/20/1999	300	\$38.91
10/29/1999	800	\$39.92
11/17/1999	100	\$41.41
11/18/1999	100	\$40.35
11/22/1999	200	\$37.10
11/23/1999	100	\$36.54
11/24/1999	100	\$37.72
11/30/1999	300	\$38.04
01/03/2000	6,800	\$43.51
01/05/2000	100	\$43.10
02/01/2000	500	\$64.48
02/08/2000	200	\$64.63
04/26/2000	6,400	\$72.92

SCHEDULE A
SECURITIES TRANSACTIONS

Equity Sales		
<u>Date Sold</u>	<u>Type/Amount of Securities Sold</u>	<u>Sales Price Per Share</u>
07/07/2000	200	\$68.67
07/10/2000	500	\$68.32
08/07/2000	1,300	\$80.23
08/10/2000	2,700	\$81.04
08/28/2000	200	\$86.23
09/11/2000	1,600	\$85.77
09/11/2000	300	\$85.92
09/22/2000	400	\$82.53
09/25/2000	400	\$84.23
09/26/2000	100	\$85.66
09/27/2000	400	\$87.41
09/28/2000	100	\$89.23
10/06/2000	1100	\$81.60
10/24/2000	500	\$80.17
11/03/2000	400	\$77.35
11/22/2000	100	\$75.54
12/26/2000	400	\$83.48
12/28/2000	100	\$84.79
12/29/2000	900	\$83.10
01/11/2001	800	\$69.42
01/22/2001	2200	\$75.04
01/29/2001	1000	\$80.75
01/31/2001	300	\$79.98
03/06/2001	200	\$68.62
03/19/2001	400	\$61.78
03/20/2001	2000	\$60.93
03/28/2001	2300	\$58.08
04/19/2001	1,000	\$61.14
05/16/2001	500	\$54.99
05/29/2001	1,500	\$53.02
06/11/2001	400	\$50.98
06/26/2001	300	\$43.72

SCHEDULE A

SECURITIES TRANSACTIONS

**Equity
Sales**

<u>Date Sold</u>	<u>Type/Amount of Securities Sold</u>	<u>Sales Price Per Share</u>
06/27/2001	200	\$45.38
06/29/2001	100	\$48.67
06/29/2001	600	\$49.00
07/10/2001	100	\$49.57
08/20/2001	2,800	\$36.23
08/20/2001	100	\$36.55
08/21/2001	200	\$36.95
08/24/2001	100	\$36.34
08/28/2001	100	\$38.14
08/28/2001	100	\$38.14
09/26/2001	100	\$25.67
10/10/2001	8,300	\$35.18
10/26/2001	1,900	\$15.48

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document has been served by sending a copy via electronic mail to serve@ESL3624.com on this 5th day of August, 2003.

I further certify that a copy of the foregoing document has been served via overnight mail on the following parties, who do not accept service by electronic mail on this 5th day of August, 2003.

Carolyn S. Schwartz
United States Trustee, Region 2
33 Whitehall Street, 21st Floor
New York, NY 10004

Deborah S. Granger

DEBORAH S. GRANGER